

Message Text

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ACTION AF-10

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C O N F I D E N T I A L LAGOS 5111

AFW FOR AMBASSADOR EASUM

E.O. 11652: GDS
TAGS: CASC NI
SUBJECT: RAY BAKER

REF: (A) LAGOS 5087, (B) STATE 102336

1. CONSULAR OFFICER HUFFMAN SAW FABUNMI THIS MORNING AND DELIVERED AN ADDITIONAL NOTE REGARDING BAKER'S CASE WHICH WAS DESIGNED TO RECAPITULATE THE CASE IN BRIEF AND EMPHASIZE ITS IMPORTANCE IN RELATION TO POTENTIAL AMERICAN INVESTMENT IN NIGERIA (FOR TEXT OF NOTE SEE PARA 5). HUFFMAN ALSO DELIVERED A PERSONAL LETTER FROM THE CHARGE' TO FABUNMI REGARDING THE INDIVIDUALS IN NIGERIA KRAFT BAGS LTD. WHO HAD BEEN DISMISSED SHORTLY BEFORE BAKER WAS DETAINED IN 1976. (FABUNMI HAD SHOWN INTEREST IN THIS SUBJECT, AS REPORTED IN PARA 4 OF REFTEL A.)

2. FABUNMI ACCEPTED THE NOTE AND EXPRESSED APPRECIATION FOR THE INFORMATION CONTAINED IN THE LETTER. WHEN HUFFMAN ASKED HIS ADVICE REGARDING THE UTILITY OF PURSUING THE CASE THROUGH OTHER CHANNELS IN LAGOS, FABUNMI RESPONDED NEGATIVELY. HE INSISTED IN FACT THAT THE CASE WOULD HAVE BEEN HANDLED MORE EXPEDITIOUSLY IF THE EMBASSY HAD BEEN WORKING THROUGH HIM ALL THE WAY ALONG. ALTHOUGH
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FABUNMI INDICATED THAT HE WOULD MAKE USE OF THE ADDITIONAL INFORMATION AND CONTINUE HIS EFFORTS TO REGULARIZE BAKER'S STATUS, HE REFUSED TO PROVIDE ANY ASSURANCES THAT THE MATTER COULD BE SETTLED THIS WEEK.

3. EMBASSY OFFICER ALSO DISCUSSED THE BAKER CASE THIS MORNING WITH A HIGH LEVEL NSO OFFICIAL, ASKING HIM TO

INFORM NSO DIRECTOR BRIGADIER ABDULLAHI MOHAMMED OF EMBASSY'S REQUEST FOR THIS ASSISTANCE ON THE BAKER CASE AND HIS ADVICE REGARDING THE BEST MEANS OF CLEARING BAKER'S STATUS MOST EXPEDITIOUSLY IN ORDER TO PREVENT THE CASE FROM ADVERSELY AFFECTING THE CURRENT WORKING GROUP MEETINGS IN WASHINGTON. THE OFFICIAL PROMISED THAT HE WOULD BRING THE MATTER TO MOHAMMED'S ATTENTION TODAY.

4. ALTHOUGH WE BELIEVE THE DOUBLE-PRONGED APPROACH IN LAGOS THROUGH FABUNMI AND THE NSO OFFICIAL OFFERS CONSIDERABLE HOPE THAT BAKER'S CASE WILL BE SETTLED SATISFACTORY FAIRLY SOON, WE STILL DOUBT THAT THE MATTER WILL BE RESOLVED THIS WEEK. IN ANY CASE WE BELIEVE IT IS HIGHLY DESIRABLE TO MAKE THE REPRESENTATIONS IN WASHINGTON AND NEW YORK MENTIONED IN PARA 4 OF REFTEL B.

5. TEXT OF EMBASSY'S NOTE 268 OF APRIL 24 IS AS FOLLOWS:

BEGIN QUOTE: THE EMBASSY OF THE UNITED STATES OF AMERICA PRESENTS ITS COMPLIMENTS TO THE MINISTRY OF EXTERNAL AFFAIRS AND HAS THE HONOR TO INVITE THE MINISTRY'S ATTENTION TO THE CASE OF THE AMERICAN BUSINESSMAN ARYMOND W. BAKER.

MR. BAKER IS THE CHAIRMAN OF NIGERIAN DIVERSIFIED INVESTMENTS LIMITED (NDI). OVER A PERIOD OF SIXTEEN YEARS HEA HAS BEEN ONE OF THE MOST PROMINENT AND SUCCESSFUL AMERICAN BUSINESSMEN INVOLVED IN DEVELOPING AND STRENGTHENING

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US/NIGERIAN ECONOMIC TIES, PARTICULARLY THOSE INVOLVING THE TRANSFER OF EXPERTISE AND TECHNOLOGY TO THIS COUNTRY.

IN MARCH OF 1976, SHORTLY AFTER THE DISMISSAL OF THREE EMPLOYEES OF NIGERIA KRAFT BAGS LTD., OF WHICH MR. BAKER WAS THE MANAGING DIRECTOR, MR. BAKER WAS DETAINED AND QUESTIONED BY AUTHORITIES OF THE FEDERAL MILITARY GOVERNMENT. SUBSEQUENTLY HE WAS RELEASED AND HIS PASSPORT AND RESIDENCE PERMIT WERE RETURNED TO HIM. IT IS THE EMBASSY'S UNDERSTANDING THAT HIS CASE HAD BEEN FULLY REVIEWED BY THE AUTHORITIES OF THE FEDERAL MILITARY GOVERNMENT AND THAT HE HAD BEEN COMPLETELY CLEARED. HE THEN RETURNED TO THE UNITED STATES. SINCE THAT TIME MR. BAKER HAS RETURNED TO NIGERIA ON ONE OCCASION, ONLY TO FIND THAT HIS NAME WAS LISTED AT THE AIRPORT WITH IMMIGRATION OFFICIALS AND THAT HE WAS OBLIGED TO GIVE UP HIS PASSPORT UPON ARRIVAL. HE HAS BEEN UNSUCCESSFULLY ATTEMPTING SINCE THAT TIME TO OBTAIN A RENEWAL OF HIS RESIDENCE PERMIT.

IN AN ATTEMPT TO REGULARIZE THE STATUS OF MR. BAKER THE EMBASSY HAS ADDRESSED TO THE MINISTRY ITS NOTES 864 OF DECEMBER 5, 1977; 906 OF DECEMBER 27, 1977; AND 192 OF MARCH 25, 1978.

MR. BAKER'S CONTINUING INABILITY TO OBTAIN FULL

CLEARANCE FOR HIS RETURN TO NIGERIA IS NOT ONLY A HARDSHIP ON HIM BUT IS CURRENTLY CLOCKING THE FINALIZATION OF THREE NEW MULTI-MILLION NAIRA MANUFACTURING PROJECTS FOR WHICH FEASIBILITY STUDIES HAVE BEEN COMPLETED AND CONTRACT NEGOTIATIONS INITIATED. MOREOVER MANY AMERICAN BUSINESSMEN AND POTENTIAL INVESTORS LOOK TO HIS CASE -- INVOLVING A WELL-KNOWN BUSINESSMAN WHO INVESTED IN NIGERIA FOR 16 YEARS AND CONTRIBUTED TO THE COUNTRY'S DEVELOPMENT -- AS AN INDICATION OF POSSIBLE FUTURE TRENDS IN NIGERIAN-AMERICAN ECONOMIC AFFAIRS.

THE EMBASSY UNDERSTANDS THAT SOME STEPS HAVE RECENTLY BEEN TAKEN, AT ITS REQUEST, TO REEXAMINE MR. BAKER'S STATUS. IT WOULD LIKE TO REQUEST THAT THIS REVIEW BE CONDUCTED AS EXPEDITIOUSLY AS POSSIBLE. IT IS NOW OVER
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TWO YEARS SINCE MR. BAKER WAS DETAINED AND QUESTIONED. THE EMBASSY HOPES THAT THE RENEWAL OF HIS RESIDENCE PERMIT WILL NOW BE APPROVED WITHOUT FURTHER DELAY, AND THAT HE CAN BE ASSURED THAT HE IS FREE TO TRAVEL TO, FROM AND WITHIN NIGERIA ON THE SAME BASIS AS ANY OTHER BONA FIDE FOREIGN BUSINESSMAN.

THE EMBASSY OF THE UNITED STATES AVAILS ITSELF OF THIS OPPORTUNITY TO RENEW TO THE MINISTRY OF EXTERNAL AFFAIRS OF THE FEDERAL REPUBLIC OF NIGERIA THE ASSURANCES OF ITS HIGHEST CONSIDERATION. END QUOTE.
WYMAN

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